

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>James L. Phelps,</b>	<b>:</b>	
<b>Petitioner/Defendant,</b>	<b>:</b>	<b>Civil Action No. 10-0529-CG</b>
<b>v.</b>	<b>:</b>	<b>Criminal No. 06-00279-CG-C</b>
<b>United States of America,</b>	<b>:</b>	
<b>Respondent.</b>	<b>:</b>	

**JUDGMENT**

In accordance with the order entered on this date, it is hereby **ORDERED**, **ADJUDGED, and DECREED** that the Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody filed in this case (Doc. 134 in Criminal No. 06-00279-CG-C) be and the same hereby is **DISMISSED** as time-barred. The court further finds that the petitioner is not entitled to a certificate of appealability.

**DONE and ORDERED** this 5th day of November, 2010.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE